

EXHIBIT 4

**IN THE COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO**

STATE OF OHIO ex rel.)	
ATTORNEY GENERAL)	CASE NO.
DAVE YOST)	
30 E. Broad Street, 14th Floor)	JUDGE
Columbus, Ohio 43215)	
)	
Plaintiff,)	
v.)	COMPLAINT AND REQUEST FOR
)	DECLARATORY JUDGMENT,
DOLLAR GENERAL CORPORATION)	INJUNCTIVE RELIEF,
d/b/a DOLLAR GENERAL)	CONSUMER RESTITUTION, AND
100 Mission RDG)	CIVIL PENALTIES
Goodlettsville, TN 37072)	
)	
Defendant.)	

JURISDICTION AND VENUE

1. Plaintiff, State of Ohio, through Attorney General Dave Yost, having reasonable cause to believe that violations of Ohio's consumer protection laws have occurred, brings this action in the public interest and on behalf of the State of Ohio under the authority vested in the Attorney General by R.C. 1345.07.
2. The actions of Defendant Dollar General Corporation, as described below, have occurred in Ohio, including in Butler County, and, as set forth below, are in violation of the Consumer Sales Practices Act ("CSPA"), R.C. 1345.01 et seq., and its Substantive Rules, Ohio Administrative Code ("O.A.C") 109:4-3-01 et seq.
3. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04 of the CSPA.
4. This Court has venue to hear this case pursuant to Ohio Civ. R. 3(C)(3) because Butler County is one of the Ohio counties in which the Defendant conducted activity that gave rise to the claim for relief.

DEFENDANT

5. Defendant is a Tennessee corporation that has been registered with the Tennessee Secretary of State since May 29, 1998.
6. Defendant's principal place of business is 100 Mission RDG, Goodlettsville, Tennessee 37072.
7. Defendant engaged in consumer transactions using the name Dollar General.
8. Defendant registered the trade name, Dollar General, with the Ohio Secretary of State on March 2, 2015.
9. Defendant is a "supplier," as that term is defined in R.C. 1345.01(C), as Defendant engaged in the business of effecting "consumer transactions," either directly or indirectly, by soliciting or selling goods or services to "consumers" for purposes that were primarily for personal, family or household use, as those terms are defined in R.C. 1345.01(A), (C) and (D).

STATEMENT OF FACTS

10. Defendant has been at all times relevant to this action engaged in the business of selling consumer goods in the State of Ohio, including in Butler County.
11. Defendant offers sales of household goods at multiple store locations throughout Ohio using advertisements on their shelves to display the price of goods.
12. When the goods are scanned for purchase at the register, the price that is charged to the consumer is different than the price advertised on the shelf.
13. Consumers are damaged when they pay prices higher than the advertised price, whether they realize the pricing difference at the point of sale or not.

CAUSE OF ACTION: VIOLATIONS OF THE CSPA

Count I – Unfair and Deceptive Acts and Practices

14. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in Paragraphs One through Thirteen (1-13) of this Complaint.
15. Defendant committed unfair or deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A) and R.C. 1345.02(B)(8), by representing that a specific price advantage exists, if it does not.
16. The acts or practices described above have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 et seq. Defendants committed said violations after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

Count II - Bait Advertising

17. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in Paragraphs One through Thirteen (1-13) of this Complaint.
18. Defendant committed unfair or deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), and the Bait Advertising Rule, O.A.C. 109:4-3-03, by making offers of sales of goods when such offers are not a bona fide effort to sell such a good.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court grant the following relief:

- A. DECLARE, pursuant to R.C. 1345.07(A)(1), that each act or practice complained of herein violates the CSPA, R.C. 1345.01 et seq., and its Substantive Rules, O.A.C. 109:4-3-01 et seq., in the manner set forth in this Complaint.

- B. ISSUE A PERMANENT INJUNCTION, pursuant to R.C. 1345.07(A)(2), enjoining Defendant, doing business under its own name or any other names, its agents, representatives, salespersons, employees, successors, or assigns, and all other persons acting in concert and participation with Defendant, directly or indirectly, from engaging in the acts or practices of which Plaintiff complains and from further violating the CSPA, R.C. 1345.01 et seq., and its Substantive Rules, O.A.C. 109:4-3-01 et seq., including, but not limited to, violating the specific statutes and rules alleged to have been violated herein.
- C. ASSESS, FINE, AND IMPOSE upon Defendant a civil penalty of \$25,000 for each separate and appropriate violation described herein, pursuant to R.C. 1345.07(D).
- D. ORDER Defendant, pursuant to R.C. 1345.07(B), to pay actual damages to all consumers injured by the conduct of Defendant.
- E. ISSUE AN INJUNCTION prohibiting Defendant from engaging in business as a supplier in any consumer transaction in Ohio until such time as Defendant has satisfied all monetary obligations ordered by this Court or any other Ohio court, in connection with a consumer transaction.
- F. GRANT the Plaintiff its costs in bringing this action including, but not limited to, the costs of collecting on any judgment awarded.
- G. ORDER Defendant to pay all court costs.
- H. GRANT such other relief as the Court deems to be just, equitable, and appropriate.

Respectfully submitted,

DAVE YOST
Ohio Attorney General

/s/ Lisa M. Treleven
LISA M. TRELEVEN (0086628)





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CV 2022 11 1812 OHIO ATTORNEY GENERAL vs. DOLLAR GENERAL CORPORATION et al -OSTER

- Case Type: CIVIL - GENERAL
- Case Status: Open
- File Date: 11/01/2022
- DCM Track:
- Action: CONSUMER SALES PRACTICES ACT-TRANSACTIONS O.R.C. 1345.01>13 (H)
- Status Date: 11/01/2022
- Case Judge: Oster Jr., Honorable Michael A.
- Next Event: 01/12/2023

- All Information
- Party
- Event
- Docket
- Disposition
- Financial
- Receipt

Docket Information

Date	Docket Text	Amount	Image	Owed Avail.
11/01/2022	FUNDS ON DEPOSIT FOR COURT COST.	\$0.00		
11/01/2022	INSTRUCTIONS TO THE CLERK: Mail a certified copy of the complaint to the Attorney General's Consumer Protection Division pursuant to ORC 1345.09(E).			
11/01/2022	General Division Special Projects Fee pursuant to Local Rule 4.13.	\$165.00		
11/01/2022	Legal aid fees pursuant to ORC 2303.210 (C).	\$26.00		
11/01/2022	General Division Arbitration/Mediation Special Project Fee pursuant Local Rule 4.12.	\$30.00		
11/01/2022	Clerk of Courts Computerization Fee pursuant to ORC 2303.201 (B)(1).	\$20.00		
11/01/2022	Court Computerization Fee pursuant to ORC 2303.201 (A)(1).	\$6.00		
11/01/2022	Complaint & Filing fee for each cause of action ORC 2303.20(A).	\$25.00		
11/01/2022	NOTICE OF APPEARANCE FILED	\$2.00		
11/01/2022	Attorney: TRELIVEN, LISA (0086628)			
11/01/2022	PRECIPE FOR SERVICE	\$0.00		
11/01/2022	Attorney: TRELIVEN, LISA (0086628)			
11/01/2022	SERVICE COPIES	\$1.00		

<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
11/02/2022	AMENDED COMPLAINT FILED Attorney: TRELEVEN, LISA (0086628)	\$35.00	 Image
11/02/2022	PRECIPE FOR SERVICE Attorney: TRELEVEN, LISA (0086628)	\$0.00	 Image
11/02/2022	PRECIPE FOR SERVICE Attorney: TRELEVEN, LISA (0086628)	\$0.00	 Image
11/02/2022	SERVICE COPIES	\$1.00	
11/04/2022	ELECTRONIC CERTIFIED MAIL COVERSHEET (IMPB BARCODE)	\$6.00	 Image
11/04/2022	Issue Date: 11/04/2022 Service: SUMMONS BY CERTIFIED MAIL Method: E-CERTIFIED MAIL (w/ ERR) Cost Per: \$0.00 DOLLAR GENERAL CORPORATION C/O DOLGEN MIDWEST LLC 100 MISSION RIDGE GOODLETTSVILLE, TN 37072 Tracking No: Z000058287	\$0.00	
11/04/2022	SUMMONS ON COMPLAINT BY CERTIFIED MAIL ISSUED. SUMMONS ON COMPLAINT BY CERTIFIED MAIL Sent on: 11/04/2022 15:48:35.56	\$1.00	 Image
11/04/2022	ELECTRONIC CERTIFIED MAIL COVERSHEET (IMPB BARCODE)	\$6.00	 Image
11/04/2022	Issue Date: 11/04/2022 Service: COPY BY CERTIFIED MAIL Method: E-CERTIFIED MAIL (w/ ERR) Cost Per: \$0.00 STATE OF OHIO CONSUMER SALES PROTECTION DIVISION 30 E BROAD STREET COLUMBUS, OH 43215 Tracking No: Z000058288	\$0.00	
11/04/2022	COPY BY CERTIFIED MAIL ISSUED. COPY ISSUED BY CERTIFIED MAIL Sent on: 11/04/2022 15:51:14.99	\$0.00	 Image
11/07/2022	ELECTRONIC CERTIFIED MAIL COVERSHEET (IMPB BARCODE)	\$12.00	 Image

<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
11/07/2022	Issue Date: 11/07/2022 Service: SUMMONS ON AMENDED COMPLAINT Method: E-CERTIFIED MAIL (w/ ERR) Cost Per: \$0.00 DOLLAR GENERAL CORPORATION C/O DOLGEN MIDWEST LLC 100 MISSION RIDGE GOODLETTSVILLE, TN 37072 Tracking No: Z000058300 DOGEN MIDWEST LLC C/O CORPORATION SERVICE COMPANY 3366 RIVERSIDE DR STE 103 UPPER ARLINGTON, OH 43221 Tracking No: Z000058301	\$0.00	
11/07/2022	SUMMONS ON AMENDED COMPLAINT ISSUED. AMENDED SUMMONS Sent on: 11/07/2022 09:20:48.95	\$1.00	 Image
11/15/2022	RETURN RECEIPT OF CERTIFIED MAIL OF Method : E-CERTIFIED MAIL (w/ ERR) Issued : 11/07/2022 Service : SUMMONS ON AMENDED COMPLAINT Served : 11/09/2022 Return : 11/15/2022 On : DOGEN MIDWEST LLC Signed By : WILLIAM P Reason : CERTIFIED MAIL SERVICE SUCCESSFUL Comment : Tracking # : Z000058301	\$0.00	 Image
12/02/2022	COURT ADMINISTRATION OFFICE HAS SCHEDULED: Event: STATUS REPORT HEARING Date: 01/12/2023 Time: 9:50 am Judge: Oster Jr., Honorable Michael A. Location: General Division Court, GSC 3rd Floor, Courtroom A		
12/02/2022	COURT ADMINISTRATION OFFICE ISSUED NOTICE TO REPORT NOTICE TO REPORT OSTER Sent on: 12/02/2022 12:21:12.13	\$2.00	 Image
12/06/2022	STIPULATION FOR EXTENSION OF TIME TO RESPOND AMENDED COMPLAINT AND REQUEST FOR DECLARATORY RELIEF, CONSUMER RESTITUTION, AND CIVIL PENALTIES FILED Attorney: MOORE, BRANDON P (0092716)	\$0.00	 Image

<u>Date</u>	<u>Docket Text</u>	<u>Amount</u> <u>Owed</u>	<u>Image</u> <u>Avail.</u>
12/06/2022	APPEARANCE OF COUNSEL FILED Attorney: MOORE, BRANDON P (0092716) Receipt: 1037669 Date: 12/06/2022	\$2.00	 Image
12/07/2022	RETURN RECEIPT OF CERTIFIED MAIL OF Method : E-CERTIFIED MAIL (w/ ERR) Issued : 11/04/2022 Service : SUMMONS BY CERTIFIED MAIL Served : 11/15/2022 Return : 12/07/2022 On : DOLLAR GENERAL CORPORATION Signed By : ILLEGIBLE Reason : CERTIFIED MAIL SERVICE SUCCESSFUL Comment : Tracking # : Z000058287	\$0.00	 Image
12/08/2022	RETURN RECEIPT OF CERTIFIED MAIL OF Method : E-CERTIFIED MAIL (w/ ERR) Issued : 11/04/2022 Service : COPY BY CERTIFIED MAIL Served : 11/17/2022 Return : 12/08/2022 On : STATE OF OHIO Signed By : JOHN ANDERSON Reason : CERTIFIED MAIL SERVICE SUCCESSFUL Comment : Tracking # : Z000058288	\$0.00	 Image